

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:	)	<b>Motion and Notice</b>
	)	<b>Chapter 13</b>
DANIEL LEE WYATT	)	
BARBARA ANN WYATT	)	No: B-08-50497 C-13W
	)	
Debtors	)	

Kathryn L. Bringle, Trustee, respectfully moves the Court for an order as follows:

Claims were filed in this Chapter 13 case as follows:

The Finance Company claim for \$11,917.09. Proof of claim filed on April 3, 2008. The Trustee is of the belief that the claim should be classified as unsecured.

Consumer Portfolio Services unsecured claim for \$11,216.91. Proof of claim filed on June 12, 2008.

The Trustee is of the belief that these two claims are duplicates and that the claim of Consumer Portfolio Services should be disallowed.

The Trustee recommends as follows:

1. That the claim of Consumer Portfolio Services be disallowed.
2. That the claim of The Finance Company be allowed and that it be classified as an unsecured claim.

Date: March 13, 2009

KLB: vrd

s/ Kathryn L. Bringle

Trustee

**NOTICE**

TAKE NOTICE THAT any interested party who has an objection to the Motion MUST FILE A WRITTEN OBJECTION by April 22, 2009 with the United States Bankruptcy Court at the address of

*226 South Liberty Street  
Winston-Salem, NC 27101*

and must serve the parties named on the attached list of Parties To Be Served.

If no objection is filed within the time period, the Court will consider this motion without a hearing. If an objection is timely filed, a hearing on the motion will be held on May 20, 2009 at 9:30 a.m. in the Courtroom at 226 South Liberty Street, Winston-Salem, North Carolina.

Date: March 13, 2009

OFFICE OF THE CLERK  
U.S. Bankruptcy Court

PARTIES TO BE SERVED

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BARBARA ANN WYATT  
5832 SIR KNIGHT CIRCLE  
CLEMMONS, NC 27012

CONSUMER PORTFOLIO SERVICES  
P O BOX 57071  
IRVINE, CA 92619-7071

CONSUMER PORTFOLIO SERVICES  
P O BOX 57071  
IRVINE, CA 92619-7071

THE FINANCE COMPANY  
% DAVID N FRANKLIN  
99 INCA STREET  
DENVER, CO 80223

KATHRYN L. BRINGLE  
CHAPTER 13 TRUSTEE  
PO BOX 2115  
WINSTON-SALEM, NC 27102-2115